

The Regular Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on October 9, 2007, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson  
Mary Kerwin  
Lawrence Littman  
Robert Schultz  
Thomas Strat  
John J. Tagle  
Kathleen Troshynski  
Mark J. Vleck  
Wayne Wright

Also Present:

Mark F. Miller, Planning Director  
R. Brent Savidant, Principal Planner  
Susan Lancaster, Assistant City Attorney  
Kathy Czarnecki, Recording Secretary

2. APPROVAL OF AGENDA

**Resolution # PC-2007-10-154**

Moved by: Kerwin

Seconded by: Wright

**RESOLVED**, To approve the Agenda as presented.

Yes: All present (9)

**MOTION CARRIED**

3. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

**SPECIAL USE REQUEST**

4. **PUBLIC HEARING – SPECIAL USE REQUEST (SU 348-B)** – Proposed Child Care Center, Troy Church of the Nazarene, East side of Crooks, South of South Blvd., (6840 Crooks), Section 4, Zoned R-1B (One Family Residential) District

Mr. Miller presented a summary of the Planning Department report on the proposed site plan and special use request. Mr. Miller said an updated proposed Resolution that addresses the reduction in parking spaces was distributed. He addressed the opaque screening designated on the site plan for the outdoor play area, and the Planning Commission's authority to determine the appropriate visual screening. Mr. Miller reported it is the recommendation of City Management to approve the site plan and special use request.

There was general discussion on screening the outdoor play area, the plans submitted for the proposed child care center, and the approved site plan for construction of the new ministry.

Melody East, staff associate of Troy Church of the Nazarene, 6840 Crooks Road, Troy, was present. Ms. East explained that the proposed location of the child care center is in the existing church building and is not part of the new ministry that was previously approved. Ms. East addressed the screening of the outdoor play area. She said they would be agreeable to any recommendations made by the Planning Commission.

Concerns addressed during discussion of screening the outdoor play area:

- Surrounding wooded and vacant area.
- Protection and safety of children.
- Proximity to Sunrise Assisted Living.
- Potential for future development of neighboring properties.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED**

Mr. Hutson suggested that screening the outdoor play area could be waived, or deferred, as part of the special use approval until such time that adjacent property might be developed.

Ms. Lancaster advised the members to place a condition on the special use, as opposed to deferring or waiving the screening. She said placing a condition on the special use would put the burden on the owner of the property.

Mr. Littman addressed a potential noise factor for the residents to the north.

Ms. Lancaster addressed the difficulty in making determinations of noise level that are considered nuisances, and the design of noise-lessening screening.

Mr. Miller said an alternate method of screening would be a landscape buffer. He stated that Sunrise Assisted Living was notified of the special use request and public hearing. He addressed the density and existing intensity of the Sunrise property in terms of potential future expansion.

Mr. Tagle asked members to view the outdoor play area from the perspective of the children who would be using it. He said kids are kids and are entitled to enjoy the fresh air and experience nature. Mr. Tagle suggested that outdoor play time could be limited to certain hours of the day should noise become a factor.

Ms. Troshynski addressed the security and safety of children. She would like to see the matter come back before the Planning Commission to determine appropriate screening should there be future development of any adjacent properties.

Mr. Strat addressed concerns with future development in the area, and recommended a landscape buffer.

Mr. Littman asked the petitioner to address the protection of the treed area with respect to the construction equipment.

Ms. East indicated that the proposed outdoor play area was cleared to prepare for construction of the new ministry, and said there would be no intrusion to the existing trees.

**Resolution # PC-2007-10-155**

Moved by: Vleck  
Seconded by: Kerwin

**RESOLVED**, That the Planning Commission hereby approves a reduction in the total number of required parking spaces to eighty-three (83) when a total of ninety six (96) spaces are required on the site based on the off-street parking space requirements for churches and child care centers, as per Article XL. This reduction meets the standards of Article 40.20.12 given that the hours of operation of the child care facility and church will not overlap.

**BE IT FINALLY RESOLVED**, That Special Use Approval and Preliminary Site Plan Approval, pursuant to Section 10.30.03 of the Zoning Ordinance, as requested for the proposed Child Care Center within the Troy Church of the Nazarene, located on the east side of Crooks Road, south of South Boulevard, in Section 4, within the R-1B zoning district, is hereby granted, subject to the following conditions:

1. That the opaque screening fence shall not be constructed and if there is future development of the neighboring properties, it shall come back to the Planning Commission for a determination whether or not the fencing shall be constructed.
2. That the screening, opaque or landscaping, shall be determined.

Discussion on the motion on the floor.

Mr. Hutson and Ms. Troshynski offered revisions to the motion, as incorporated above. The maker and supporter of the motion accepted the revisions.

Mr. Miller made certain that the members understood that the outdoor play area would still be fenced in.

Vote on the motion on the floor.

Yes: All present (9)

**MOTION CARRIED**

**SITE CONDOMINIUM SITE PLANS**

5. SITE CONDOMINIUM SITE PLAN REVIEW – Crestwood Site Condominium – Phase 2, 4 Additional Units/Lots Proposed, North side of Wattles Road, East of Livernois, Section 15, Zoned R-1C (One Family Residential) District

Mr. Miller presented a summary of the Planning Department report on the proposed site condominium, and reported it is the recommendation of City Management to approve the preliminary site plan application as submitted.

Chair Schultz addressed site plan approval procedure as relates to floodplain and wetlands.

Ms. Lancaster confirmed that approvals from State agencies such as MDEQ and FEMA would supersede the Planning Commission authority.

Chair Schultz opened the floor for public comment.

There was no one present who wished to speak.

The floor was closed.

Jeff Huhta of Nowak & Fraus, 46777 Woodward Avenue, Pontiac, was present to represent the petitioner. Mr. Huhta provided additional information relating to the floodplain jurisdiction, MDEQ application, completion of the cul de sac, and tree survey.

Mr. Strat addressed the storm water management on site, and said it lacked creative ingenuity.

Ms. Kerwin shared the same concern and addressed the condition and care of the existing trees on site.

**Resolution # PC-2007-10-156**

Moved by: Hutson

Seconded by: Littman

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.30.00 Unplatted One-Family Residential Development), as requested for Crestwood Site Condominium Phase 2, including 4 units, located on the north side of Wattles, east of Livernois, Section 15, within the R-1C zoning district, be granted, subject to the following condition:

1. That the Michigan Department of Environmental Control approve the plan.

Yes: All present (9)

**MOTION CARRIED**

6. SITE CONDOMINIUM SITE PLAN REVIEW – Villas of Troy Site Condominium, 11 Units/Lots Proposed, South of Wattles Road, East side of Finch, Section 21, Zoned R-1B (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report on the proposed site condominium, and reported it is the recommendation of City Management to approve the application with the condition that the floodplain boundary is approved by the MDEQ and FEMA prior to final site condominium approval.

Mr. Vleck asked for clarification on whose authority it is to determine the feasibility of the parallel plan.

Mr. Savidant stated the Engineering Department determined the parallel plan and site plan can be engineered, as shown on the plan.

Ms. Lancaster addressed the ordinance relating to the determination of the feasibility of the parallel plan, and interpreted the ordinance to read that the authority or responsibility lies with the Engineering Department.

The petitioner, Joe Maniaci of Mondrian Properties, 50215 Schoenherr, Shelby Township, was present. Mr. Maniaci said the proposed parallel plan and cluster plan meet all City ordinance requirements. He indicated the density factor is below the maximum allowed and that they are not asking for any variances or special use.

Mr. Maniaci said it is their intent to leave as many trees as possible on the site and the nature area in the back would remain for the use and enjoyment of the residents.

Mr. Savidant briefly addressed the open space provisions offered as an option to petitioners.

Chair Schultz opened the floor for public comment.

Janet Martin of 3912 Old Creek, Troy, was present. Ms. Martin addressed concern for potential flooding problems in the area.

Michael Wullaert of 860 Huntsford, Troy, was present. Mr. Wullaert asked the Planning Commission to give consideration to the trees existing at the south end of the site as the development goes forward.

Chair Schultz addressed the engineering development standards for rear yard drainage in relation to the trees to the south.

Rob Wilson of 3776 Finch, Troy, was present. Mr. Wilson said Choice Development, to whom he sold his property, assured him that the site would be developed with full size lots and full size homes. Mr. Wilson said if he would not have sold his property had he known the site would be developed as proposed.

Liberty Garamillo of 3830 Finch, Troy, was present. Mr. Garamillo addressed concerns with the existing wildlife and green environment as relates to the enjoyment of the residents.

The floor was closed.

Mr. Strat shared the concern for the trees to the south of the property, and objects to the lack of creativity on the storm water management.

Ms. Troshynski said the development is extremely dense and expressed concern with potential drainage problems. She addressed the open space and natural area.

Mr. Hutson shared the concerns voiced on storm water management and existing natural environment, but indicated he would support the plan because it meets all ordinance requirements.

Ms. Kerwin asked the petitioner if he would continue to work with the residents on concerns voiced tonight and in correspondence, should the project go forward.

Mr. Maniaci said they would work with the City Engineer to save as many trees as possible, and indicated the existing pine trees were addressed with the Engineering Department to some resolve. He addressed the City ordinances with respect to rear

yard drainage and storm water management. Mr. Maniaci shared his reasoning in choosing to develop the site as cluster.

Ms. Kerwin said her point is that it might be a good idea to meet with the residents who surround the site and address their concerns.

**Resolution # PC-2007-10-157**

Moved by: Vleck

Seconded by: Hutson

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Site Plan (Section 34.60.00 Open Space Preservation Option), as requested for Villas of Troy Site Condominium, including 11 units, located south of Wattles, east side of Finch, Section 21, within the R-1B zoning district, be granted, subject to the following condition:

1. Prior to Final Site Plan Approval, the flood plain boundary shall be approved by the MDEQ and FEMA.

Yes: All present (9)

**MOTION CARRIED**

**SITE PLAN REVIEW**

7. **SITE PLAN REVIEW (SP 898-B)** – Proposed Mausoleum, White Chapel Cemetery, South side of Long Lake Road, between Crooks and I-75 (621 W. Long Lake Road), Section 16, Zoned R-1B (One Family Residential) District

Mr. Savidant presented a summary of the Planning Department report on the proposed site plan, and reported it is the recommendation of City Management to approve the site plan as submitted. Mr. Savidant noted that the applicant needs a variance from the BZA to utilize niches in the wall within the required 50-foot setback and a variance to construct walls higher than 30 inches within the required setback.

There was general discussion on the proposed garden area and proposed walls with respect to the required setbacks for principal and accessory uses and the spatial relationship to I-75.

Donald Root, architect from Integrated Design Solutions, 888 W. Big Beaver Road, Troy, and Marc Russell, landscape architect from Russell Design, 114 Rayson Street, Northville, were present.

Mr. Root addressed the access points to the mausoleum, the interior road layout and proposed burial sites. Mr. Root explained the north wall is a continuation of the sound wall and would separate the mausoleum and the garden to create a quiet prayerful space for visitors. He addressed the screening of the maintenance area from the mausoleums and garden. Mr. Root noted that traditional burials can be done up to the property line.

Mr. Russell provided a brief explanation of the proposed cremation garden, a Michigan first. He addressed the proposed garden and mausoleum relationship to I-75, the sound wall along I-75 as well as a water feature to lessen noise, the walking area with seating, and potential burial sites in the walls and planting area. Mr. Russell said the new burial concept would create revenue for the cemetery.

Mr. Littman asked about the approval process for the sound wall and the visual appearance from I-75.

Mr. Root said Michigan Department of Transportation (MDOT) approved the sound wall.

Mr. Russell said there would be views of the garden from I-75. He indicated the proposed walls would be aesthetically pleasing and appealing from both sides.

Mr. Strat complimented the petitioners on the proposed site plan in terms of creativity and ingenuity, but indicated he would not support the site plan until the maintenance area is cleaned up and the opaque screen wall is removed.

Ms. Kerwin addressed the principal use within the 50-foot setback and the eyesore of the maintenance area, and indicated she would not support the site plan for those reasons.

Mr. Hutson said he would not support the proposed site plan until there is assurance that the maintenance area would be cleaned up.

Mr. Russell asked if the Planning Commission would consider approval of the proposed site plan contingent upon the owner satisfying the Commission's request to clean up the maintenance area. He indicated willingness to work with the Building Department on the code enforcement matter.

Ms. Lancaster said she would not recommend a motion to approve the site plan contingent on the cleanup of the maintenance area.

Discussion followed on the relationship of the code enforcement issue to site plan approval, the principal use within the 50-foot setback, and a different design layout of the garden area.



**Resolution # PC-2007-10-158**

Moved by:               Strat  
Seconded by:           Littman

**RESOLVED**, To postpone this matter until such time that the Planning Commission receives a report prepared by the Building Department to clarify the violations in terms of the equipment in the front area and come back at the next meeting.

Yes:               All present (9)

**MOTION CARRIED**

**OTHER ITEMS**

8.    PUBLIC COMMENTS – Items on Current Agenda

There was no one present who wished to speak.

9.    PLANNING COMMISSION COMMENTS

Mr. Miller briefly addressed the Michigan Association of Planning (MAP) conference.

The Regular Meeting of the Planning Commission adjourned at 9:10 p.m.

Respectfully submitted,

---

Robert M. Schultz, Chair

---

Kathy L. Czarnecki, Recording Secretary

G:\Planning Commission Minutes\2007 PC Minutes\Final\10-09-07 Regular Meeting\_Final.doc